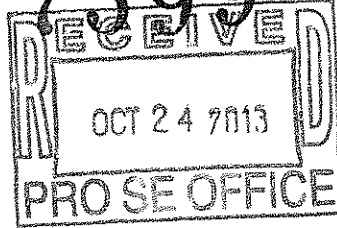


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

13CV7599



Clifton Brown

(In the space above enter the full name(s) of the plaintiff(s).)

COMPLAINT

-against-

New York City Housing Authority

Jury Trial: ☒ Yes ☐ No  
(check one)

New York City Police Dept  
P.S. A #5

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Clifton Brown  
Street Address 25 Cumming Street  
County, City New York  
State & Zip Code New York 10034  
Telephone Number \_\_\_\_\_

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name N.Y.C.H.A.  
Street Address New York City Housing Authority

County, City 250 Broadway, N.Y.C.  
 State & Zip Code New York 10007  
 Telephone Number \_\_\_\_\_

Defendant No. 2

Name P.O. Kennedy # 915995  
 Street Address N.Y.C. Police Dept  
 County, City Public Service Area #5  
 State & Zip Code E. 124th Street New York City  
 Telephone Number 10029

Defendant No. 3

Name P.O. Keith Roman # 738  
 Street Address N.Y.C. Police Dept H.B. P.S.A #5  
 County, City New York City  
 State & Zip Code New York East 124th Street 10029  
 Telephone Number \_\_\_\_\_

Defendant No. 4

Name P.O. Samantha Smith # 7224  
 Street Address N.Y.C. Police Dept H.B. P.S.A #5  
 County, City New York City  
 State & Zip Code New York East 124th Street 10029  
 Telephone Number et al. P.O. Christopher Viquez # 8115

**II. Basis for Jurisdiction:**

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)



Federal Questions

☐ Diversity of Citizenship
B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? 42 U.S.C 1983 and 42 U.S.C Article(78) - Show Cause

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship \_\_\_\_\_

Defendant(s) state(s) of citizenship \_\_\_\_\_

**III. Statement of Claim:**

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events.

You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? Outside of J.W.T Housing projects

B. What date and approximate time did the events giving rise to your claim(s) occur? on or about - 03-20-08

C. Facts: As of 03-20-08 I have been illegally Detained by the city of N.Y.C.H.A Police Bureau of P.S. A #5, I stopped, harassed AND constantly arrested with out probable cause or due process therein these (Exhibits) will show Detained by orders of N.Y.C.H.A as well as P.S. A #5 without Plain-view Rules Denied the Rights to communicate with my family members or relatives who reside within J.W.T, Ilegally searched, Harassment by these officers listed herein There is clear proof as well as eye witnesses to this Denial of Rights by N.Y.C.H.A Family members stood witness to the Repeated Prosecutions by the city of N.Y. with no reasonable cause Mr. Brown has not committed crimes but the Repeated mismanagment offenses and arrest are imposed by the Defendant via Defamation Rate Tortiously and consistently Denial of his Rights

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

#### IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

mental anguish - emotional stress Anxiety Attacks  
And Depression  
Loss of income,

**V. Relief:**

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

As to my loss of employment  
 Income Relief of (1.1) 13,000 should be made so  
 that I rest my hand on mercy of this court that  
 the Harrington Physical and physiological cohesion.  
 Emotional Distress be thoroughly investigated  
 the civil rights violations where the complainant is  
 constantly Stopped, Fasted, and immediately  
 placed in detention over and over for the  
 same offense is unbearable as exhibits will  
 show it has occurred from an AG-Arrest and  
 still continues up to this day. Be made to  
 stop by those defendants who have threatened  
 my life my families residency as exhibit will  
 show your Honor.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 10 day of 24, 2013

Signature of Plaintiff

Mailing Address

Telephone Number

Fax Number (if you have one)

Chft Rm  
25/ Commings  
N.Y. N.Y.-C.U  
10034 Apt # 5C  
347-872-0125

**Note:** All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

**For Prisoners:**

I declare under penalty of perjury that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff: \_\_\_\_\_

Inmate Number \_\_\_\_\_

Tuesday, October 22, 2013

AFFIDAVIT IN SUPPORT OF  
CLAIM

Please Know that I Mr. Clifton Brown being duly sworn deposes and says That I am the petitioner in the above-mentioned claim and so, I support the following: That on the day of March 20, 2008 N.Y.C.H.A. As well as it's employees At Housing Police P.S.A.#5 and in this I claim that I was arrested by Police Officer Patrick Kennedy of P.S.A. #5 and was subsequently convicted as a result. I was not under parole or probation at that, which was in 08 Mr. Brown was never notified not to ever return to the community where he and his family were born and raised. They still remain in this area today, there is no indefinite Exclusion order in his name nor have ever been, nor is he on any un-wanted list.

Note that Mr. Brown has made an absolute attempt to exhaust all state remedies Where applicable, Complaining to their Commander, and the C.C.R.B. that these rash and harsh treatments he has to endure is initiated by rote and the end result:

- (1) Illegal Searches
- (2) Illegal Arrest
- (3) Falsified Police reports
- (4) Loss of income/Property
- (5) Un-needed Detentions
- (6) Consistent Harassment

By the members of P.S.A.#5 who claim that these orders are coming directly from the administration without show cause and or the true operation of Law. Denying Mr. Brown his rights under Due Process. At the present time this Harassment Continues. From the year of 2008 Police Officers of P.S.A.#5 have been Consistently conducting them as to entrap Mr. Brown This all being approved apparently by N.Y.C.H.A. along with the county Prosecutors office at 100 Centre Street this being a case of Malicious Prosecution, Repetitive Imprisonment and under Falsified Reports, which appears to be Official Misconduct By N.Y.P.D. And N.Y.C.H.A and the Prosecutors Office.

Although Mr. Brown does have a past record he has not been in trouble with the law for some time now and has not committed any violations, Prays for this court over see these recent events and that he has been re-arrested Simply for standing amongst his family and friends while often not even on Housing Property. Arresting Officers using the exact same explanation each time, the exact same Penal Codes The same story lines each Officer has the same report that Mr. Brown is not to be allowed in or around James Weldon Johnson Housing but an initial check into each of the arresting officers time of employment in this complex would show that it

would be impossible for each of them to say they knew Mr. Brown as well as they claim. (see exhibits)

These orders appear to be coming from a very un-official source, being that Mr. Brown has Senior Citizen as relatives within J.W.J for him to get from point (A) to point (B) to his family members is virtually Impossible. This is very much a present hardship upon the petitioner and Due Process has not been Provided by Housing or its Police Services or the county Prosecutors Office, any Public Service Officer that might be stationed at another Housing Complex may see Mr. Brown any where throughout the five boroughs of New York and recall and arrest Mr. Brown on the spot for no reason to think their exclusion order rest on frivolous grounds. As well there are Witnesses to these stop Procedures and that and that Mr. Brown also appears to be in a class of (1) One.

There are more than one Witness to this Misconduct, Pertaining to Mr. Browns situation who will be willing to testify to this, Denying his rights such liberties these Officers gives causes that just do not suffice. Housing Authority has a way of using Uniform Officers to infringe on the rights of Private citizens as in the above mentioned? It appears that each officer at P.S.A.#5 has been instructed to arrest Mr. Brown if he so much as places one foot on Housing Authority Pavement as has been exhibited in frequent arrest reports will show. Thus he seeks assistance from this court for some closure and support, reviewing the clauses of Probable Cause. That may lay herein Thus Article 78 may be the underlying need here however, U.S.C. 42 1983 is of the utmost importance as to why the City Of New York has committed a clear violation of Mr. Browns

Civil Rights this also may be the answer to the Over crowding of City Jails with minor Frivolous charges. A system even more over burdened and abusive to privacy if citizens by not just using one Law enforcement agency to search and Apprehend people who have done nothing to violate the law lest wise seeing a family member such as Mr. Brown.

As a matter of course when a land lord that is a true part of the county it Self can employ two enforcement agencies for one individual as in the case above it borders on a complete violation of one's Civil Rights being able to use both the County Marshals Services to Evict families and the Housing Police Departments to apprehend people is overbearing. Mr. Brown has proven to the Defendants That he does not live in public housing but does have relatives that do, who do need dearly. The force of which the use to deny him this right to this end is insidious. (see Exhibits)

- (1) People V. Clifton Brown Docket No#2012NY094137
- (2) Certificate of readiness for trail by the prosecutors re-try on two dismissed charges.
- (3) First arrest 03/20/08 By Police Officer Patrick Kennedy #915995 P.S.A.#5
- (4) Arrest 12/10/12 Same Charges Dismissed



(5) Arrest 12 /17/12 Same Charges Dismissed

(6) Arrest by P.O. Samantha Smith #7224 Of P.S.A. #5 reports that Mr. Brown was charged with four trespass charges as result of what another Police Officer informed her of Mr. Brown that same Officer being P.O. Patrick Kennedy.

In Amos V. District of Columbia, D.D.C

2002 231 F. Supp. 2<sup>nd</sup> 109 Civil Rights

Where the arrestees allegations that the district of Columbia tolerated and permitted a pattern of Public Harassment, False Arrest and Malicious Prosecution that through It's Police Department it permitted and tolerated a pattern and practice of Unjustified, Unreasonable and Unlawful harassment and deprivation of liberty without Due Process of law and that it's police and customs encouraged police misconduct, met the pleadings standards to state False Arrest and Due under U.S.C. 1983.

Police officer Kennedy is where each office first heard of Mr. Brown and they admitted from outside of his authority to instruct them in such a way. Claiming Par his 2008 arrest that they still have that right to day should have been investigated far long ago. This being five years prior to this date, outside of any cause By Housing Authority it self and or in it's entity there are exhibits that will show that Mr. Brown never accepted the unsigned exclusion he shows as evidence in his testimony before a Grand Jury on the petitioners admittance onto J.W.J grounds and each Officer claims to Actually knowing Mr. Brown is based on fabricated reporting thus their history with Housing would show that they where not there in 2008. Housing Authority as well as the County Prosecutors Office outside of Official command Illegally as of this day attempted to convict the petitioner of same Charges based on his 2008 conviction by P.O. Kennedy and that in itself does not hold true.

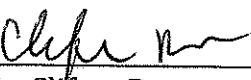
Briley V. City of Trenton D, N.J. 1995 164 F.D.R. 26 Civil Rights 1395 (6)

Here the complaint States : The Defendants actions Deprives arrestees of their rights to be secure in t heir person and their homes(domain) to be free from excessive use of force, Due Process and not be subject to cruel and unusual punishment notice pleadings requirement in 1983 action against City for excessive use of force, False Arrest, and Malicious Prosecution.

Here again Housing Authority has a right to show cause and this he prays for That the rule of Article (78) their misuse of it's police force in allowing such Behavior in and around families or their homes is a violation  
See excerpts or family letters to the City on the petitioner behalf, again at no time was Mr. Brown on the N.Y.C.H.A. unwanted list as of this day he faces trails  
By demand of the prosecutors office

At 100 Centre Street on two trespassing charges that's been already dismiss  
The Petitioner prays for the Honorable Justice of this Court too over see as to this  
very difficult situation Mr. Brown is Currently in With the above mentioned  
Defendants.

Thanking You Sincerely.

  
\_\_\_\_\_  
Mr. Clifton Brown





CYRUS R. VANCE, JR.  
DISTRICT ATTORNEY

DISTRICT ATTORNEY  
OF THE  
COUNTY OF NEW YORK  
ONE HOGAN PLACE  
New York, N. Y. 10013  
(212) 335-9000

August 5, 2013

Martin Lafalce  
The Legal Aid Society  
49 Thomas Street  
New York, NY 10013-3821

Re: People v. CLIFTON BROWN  
Docket No. 2012NY094137

Dear Mr. Lafalce:

I am the paralegal for the Assistant District Attorney in charge of the prosecution of the above referenced case. Enclosed please find a certificate of readiness, supporting deposition, superseding information, and letter to the judge pertaining to this case.

If you have any questions, please feel free to contact me at 212 335-4285.

Sincerely,

Marissa Reichel  
Trial Preparation Assistant  
212 335-4285

DISTRICT ATTORNEY  
OF THE  
COUNTY OF NEW YORK  
ONE HOGAN PLACE  
New York, N. Y. 10013  
(212) 335-9000



CYRUS R. VANCE, JR.  
DISTRICT ATTORNEY

August 5, 2013

Judge Scherzer

Re: People v. CLIFTON BROWN  
Docket No. 2012NY094137

Dear Judge Scherzer:

*malicious prosecution*

The above captioned case was dismissed with a thirty (30) day leave to refile. I am attaching a superseding information, a supporting deposition, and a certificate of readiness, as it is our position that case is sufficient, converted, and ready for trial. I'd ask that the case be recalendared in Part B on October 1, 2013, to join his two open matters. I will follow up with a superseding information, supporting deposition, and certificate of readiness for defendant's fourth case shortly.

If you have any questions, please feel free to contact me at 212 335-4285.

*trying to  
Re-open*

Sincerely,

A handwritten signature in black ink, appearing to read "Zachary Weintraub".

Zachary Weintraub  
Assistant District Attorney  
212 335-4285

cc: Martin Lafalce, esq.  
The Legal Aid Society

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

MISDEMEANOR

Clifton Brown (M 45),

Defendant.

ENTER, OCCUPY, VISIT UPON, OR USE IN ANY MANNER, THE GROUNDS OR BUILDINGS OF ANY NEW YORK CITY HOUSING AUTHORITY (NYCHA) PROPERTY IN THE CITY OF NEW YORK, EVEN IF YOU ARE INVITED TO DO SO. [ YOU MAY BE ARRESTED AND PROSECUTED FOR TRESPASS IF YOU ARE FOUND ON NYCHA PROPERTY IN VIOLATION OF THIS NOTICE."

Furthermore, I ran a computer check and seen that defendant was arrested for trespass upon New York City Housing Authority property on October 26, 2012, and that case was open at the time of this arrest. *Harassment*

False statements made in this written instrument are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law, and as other crimes.

*[Signature]*  
Police Officer Samantha Smith

*8/5/13*  
Date

*1030*  
Time

*how long has she been  
with P.S.A # 5*

*PERSONAL Desire. To ENSURE  
Mr Brown*

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

MISDEMEANOR

Clifton Brown (M 45),

Defendant.

Police Officer Samantha Smith, Shield 7224 of the Housing Bureau PSA 5, states as follows:

The defendant is charged with:

effect to scramble charges to different degrees

1 PL 140.15(1)

Criminal Trespass in the Second Degree  
(defendant #1: 1 count)

2 PL 140.10(e)

Criminal Trespass in the Third Degree  
(defendant #1: 1 count)

3 PL 140.10(f)

Criminal Trespass in the Third Degree  
(defendant #1: 1 count)

4 PL 140.05

Trespass  
(defendant #1: 1 count)

On or about December 10, 2012 at about 7:19 P.M., inside 2070 3rd Avenue in the County and State of New York, the defendant entered and remained unlawfully in a dwelling; the defendant knowingly entered and remained unlawfully in a public housing project in violation of conspicuously posted rules and regulations governing entry and use thereof; the defendant knowingly entered and remained unlawfully in a public housing project in violation of a personally communicated request to leave the premises from a housing police officer or other person in charge; the defendant knowingly entered and remained unlawfully in and upon premises.

The factual basis for these charges are as follows:

While on patrol inside the dwelling, an apartment building where people reside, I observed the defendant inside the lobby beyond the vestibule and beyond a posted sign that read "No Trespassing" and "Tenants and their Guests Only."

I know that the defendant is not a tenant of the building because he told me that he lived at a different address from the one above. Furthermore, I am informed by Detective Patrick Kennedy, shield 7381 of Housing Borough PSA 5 that Detective Kennedy gave defendant a NYCHA Trespass Notice which states: "YOU ARE HEREBY NOTIFIED THAT YOU DO NOT HAVE PERMISSION OR AUTHORITY TO

Exhibit 5

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK: PART B

THE PEOPLE OF THE STATE OF NEW YORK

-against-

CLIFTON BROWN,

Defendant.

SUPPORTING DEPOSITION  
C.P.L. § 100.20

Docket No. 2012NY094137

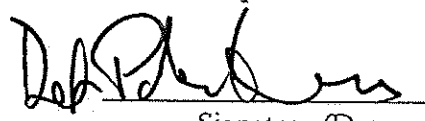
STATE OF NEW YORK     )  
  ) ss:  
COUNTY OF NEW YORK    )

I, Detective Patrick Kennedy, shield 7381 of Housing Borough PSA 5, being duly sworn,  
depose and say:

that I have read the Accusatory Instrument filed in the above-entitled action and attached  
hereto and that the facts therein stated to be on information furnished by me are true upon my  
personal knowledge.

*False statements made herein are punishable as a class A  
misdemeanor pursuant to section 210.45 of the penal law.*

True source of each officer's  
Reason to arrest is office  
is officer Kennedy.

 7381 8/5/13  
Signature (Deponent) Date

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK: PART B

*dia. trying to re open*

Next On: 10/10/13

\*Added to calendar w/  
2 other cases on 10/10/13  
2012NY08410  
2013NY049078

THE PEOPLE OF THE STATE OF NEW YORK

-against-

CLIFTON BROWN,

Defendant.

CERTIFICATE OF  
READINESS

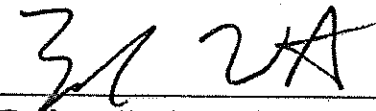
Dkt. No.

2012NY094137

ZACHARY WEINTRAUB, an Assistant District Attorney in the County of New York, hereby certifies that the People are ready for trial in the above-entitled action.

Dated: New York, New York  
August 5, 2013

Respectfully submitted,

  
\_\_\_\_\_  
Zachary Weintraub  
Assistant District Attorney  
212 335-4285

NYCHATRESPASS NOTICE  
PD 672-120 (2-06)Arrest No. 1108625438-0  
Trespass Notice Log No. # 1708NYCHA TRESPASS NOTICE

YOU ARE HEREBY NOTIFIED THAT YOU DO NOT HAVE PERMISSION OR AUTHORITY TO ENTER, OCCUPY, VISIT UPON, OR USE IN ANY MANNER, THE GROUNDS OR BUILDINGS OF ANY NEW YORK CITY HOUSING AUTHORITY (NYCHA) PROPERTY IN THE CITY OF NEW YORK, EVEN IF YOU ARE INVITED TO DO SO. YOU MAY QUALIFY FOR A RESIDENCE EXCEPTION AS DESCRIBED IN THE BOX BELOW.

YOU MAY BE ARRESTED AND PROSECUTED FOR TRESPASS IF YOU ARE FOUND ON NYCHA PROPERTY IN VIOLATION OF THIS NOTICE.

BROWN Clifton 8/26/67  
Last Name First Name M.I. Date of Birth

25 Conning Street 5C NY NY  
Address provided by Arrestee Apt. No. City/State/Zip Code

was arrested on 3/20/08 for felony sale of a Controlled Substance and/or felony sale of  
Date of Arrest

Marihuana at 1850 Lexington Ave Manhattan or immediately adjacent to  
Location of Offense Borough

the grounds of, or in a building owned by, NYCHA located in Johnson Houses  
Development of Offense Location

TO OFFICER: Did the arrestee provide a NYCHA address above as his/her residence?

☒ No  
☐ Yes:

Name of Arrestee's Resident NYCHA Development

TO PERSON RECEIVING NOTICE: If the "Yes" box above is checked, you have provided a NYCHA address, which means this Trespass Notice does not apply to your resident apartment at the address provided on this Trespass Notice or the common areas within your resident development. This Residence Exception is valid as long as this address is your primary residence. If you wish to move to another NYCHA address, you need prior authorization from NYCHA and must contact the NYCHA Trespass Coordinator at the address and phone number below.

NOTE: You are NOT entitled to this Residence Exception if a previous Trespass Notice filed against you has a different address and therefore prohibits you from entering this apartment, unless you have obtained an updated Residence Exception from the NYCHA Trespass Coordinator.

**APPEALS:** You may challenge this Notice as improper. You may also request to have it modified to obtain necessary special access to a specific NYCHA location, or terminated in certain circumstances. You may obtain information and applications from the NYCHA Trespass Coordinator's Office, located at 250 Broadway, 26<sup>th</sup> Floor, New York, NY, 10007, tel. no. (212) 306-6914.

Served on 3/20/08 at 1730 in Manhattan by P.O. Kennedy  
Date Time Borough Rank Name (print)

P.O. Kennedy 915995 PSA-5  
Signature of Officer Serving Notice Tax Registry No. Command

Received by Refused on 3/20/08  
Signature of Arrestee Receiving Notice Date

notice received  
noted



D.A. Trying to Re-Indict

Exhibit

8

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORKCERTIFICATE OF DISPOSITION  
NUMBER: 330104THE PEOPLE OF THE STATE OF NEW YORK  
VSBROWN, CLIFTON  
Defendant08/26/1967  
Date of Birth25 CUMMING STRE  
Address5818970Y  
NYSID NumberMANHATTAN NY  
City State Zip12/17/2012  
Date of Arrest/Issue

Docket Number: 2012NY094137

Summons No:

140.10  
Arraignment Charges

## Case Disposition Information:

Date Court Action  
07/29/2013 DISMISSEDJudge  
EDWARDS, EPart  
B

## NO FEE CERTIFICATION

☐ GOVERNMENT AGENCY ☐ COUNSEL ASSIGNED☐ NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNEDSOURCE ☐ ACCUSATORY INSTRUMENT ☐ DOCKET BOOK/CRIMS ☐ CRC3030[CRS963]I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN  
THIS COURTREID, C  
COURT OFFICIAL SIGNATURE AND SEAL08/22/2013  
DATE

FEE: NONE

(CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT  
SEAL OVER THE SIGNATURE OF THE COURT OFFICIAL.)

To Re-Indict Exhibit 9

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

CERTIFICATE OF DISPOSITION  
NUMBER: 330103

THE PEOPLE OF THE STATE OF NEW YORK  
VS

BROWN, CLIFTON  
Defendant

08/26/1967  
Date of Birth

25 CUMMING STRE  
Address

5818970Y  
NYSID Number

MANHATTAN NY  
City State Zip

12/10/2012  
Date of Arrest/Issue

Docket Number: 2012NY092754

Summons No:

140.15 140.10 140.10 140.05  
Arraignment Charges

Case Disposition Information:

<u>Date</u>	<u>Court Action</u>	<u>Judge</u>	<u>Part</u>
07/29/2013	DISMISSED	EDWARDS, E	B

NO FEE CERTIFICATION

☐ GOVERNMENT AGENCY ☐ COUNSEL ASSIGNED  
☐ NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED  
SOURCE ☐ ACCUSATORY INSTRUMENT ☐ DOCKET BOOK/CRIMS ☐ CRC3030 [CRS963]

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN  
THIS COURT

REID, C  
COURT OFFICIAL SIGNATURE AND SEAL

08/22/2013  
DATE

FEE: NONE

(CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT  
SEAL OVER THE SIGNATURE OF THE COURT OFFICIAL.)

Exh. b. 1 (10)

Arrest No. M08625435Housing Bureau No. 1708Notice Serial No. 08030039**TRESPASS NOTICE**

**YOU MAY BE ARRESTED AND PROSECUTED FOR TRESPASS IF YOU ARE FOUND ON NYCHA PROPERTY IN VIOLATION OF THIS NOTICE.**

BROWN CLIFTON 38/26/67  
Last Name First Name M.I. Date of Birth

25 CUMMING STREET MANHATTAN, NY  
Address provided by Arrestee Apt. No. City/State/Zip Code

was arrested on 03/20/08 for felony Sale of a Controlled Substance and/or Marijuana at

Inside 1650 LEXINGTON AVENUE Manhattan  
Location of Offense Borough, on or immediately adjacent to the grounds

of, or in a building owned by, NYCHA located in JOHNSON  
Housing Development of Offense Location

**YOU ARE HEREBY NOTIFIED THAT YOU DO NOT HAVE PERMISSION OR AUTHORITY TO ENTER, OCCUPY, VISIT UPON, OR USE IN ANY MANNER, THE GROUNDS OR BUILDINGS OF ANY NYCHA HOUSING PROPERTY IN THE CITY OF NEW YORK, EVEN IF YOU ARE INVITED TO DO SO.**

**YOU MAY QUALIFY FOR A RESIDENCE EXCEPTION AS DESCRIBED IN THE BOX BELOW.**

TO OFFICER: Did the arrestee provide a NYCHA address above?

- ☒ No  
☐ Yes

TO PERSON RECEIVING NOTICE: If the "Yes" box above is checked, you have provided a NYCHA address, which means this Trespass Notice does not apply to your resident apartment at the address provided on this Trespass Notice or the common areas within your resident development. This Residence Exception is valid as long as this address is your primary residence. If you wish to move to another NYCHA address, you must contact the NYCHA Trespass Coordinator at the address and phone number below.

**NOTE: You are NOT entitled to this Residence Exception if a previous Trespass Notice filed against you has a different address and therefore prohibits you from entering this apartment.**

**APPEALS:** You may challenge this Notice as improper. You may also request to have it terminated or modified to obtain necessary special access to a specific NYCHA location. You may obtain information and applications from the NYCHA Trespass Coordinator's Office, located at 90 Church Street, 12th Floor, New York, NY, 10007, tel. no. (212) 306-6914.

Served on 03/20/08 at Time in Manhattan by Police Officer PATRICK JO KENNEDY  
Date Time Borough Rank Name (print)

Signature On File 315995 PSA 5  
Signature of Officer Serving Notice Tax Registry No. Command

Received by Signature of Arrestee Receiving Notice on 03/20/08  
Date

*Rec'd Notice*

exhibit (11)

**THE NYCHA NOT WANTED LIST**

Below is a partial list of names of individuals who have been excluded permanently from NYCHA's public housing developments. This list keeps residents informed of the Authority's ongoing efforts to improve the quality of life for New Yorkers in public housing and to allow for the peaceful and safe use of its facilities. The full list can be viewed at [on.nyc.gov/nychanotwanted](http://on.nyc.gov/nychanotwanted). The following are the people, with their former addresses, excluded as of March 13-April 10, 2013.

**March 13, 2013**

**Thomas Curtis** Albany II Houses, 1414 Bergen Street, Apt. 14I, Brooklyn  
**Mark Saint John** Gowanus Houses, 244 Bond Street, Apt. 3G, Brooklyn

**March 20, 2013**

**Johnny McClain** Justice Sonia Sotomayor Houses, 1775 Bruckner Boulevard, Apt. 2G, Bronx  
**Larry McClain** Justice Sonia Sotomayor Houses, 1775 Bruckner Boulevard, Apt. 2G, Bronx  
**Denenne Webster** Douglass Houses, 826 Columbus Avenue, Apt. 10A, Manhattan

**March 28, 2013**

**Jose Alvarez** Baruch Houses, 312 Delancey Street, Apt. 2C, Manhattan  
**Kashief Bennett-Tyson** Cypress Hills Houses, 1240 Sutter Avenue, Apt. 6A, Brooklyn  
**Jose Colon** Bronx River Houses, 1635 East 174th Street, Apt. 11J, Bronx  
**Kelly Mena** Lincoln Houses, 1960 Park Avenue, Apt. 5D, Manhattan  
**Dreshaun Smith** South Jamaica II Houses, 107-08 160th Street, Apt. 3B, Queens  
**Michael Troutman** Breukelen Houses, 105-13 Glenwood Road, Apt. 6C, Brooklyn

**April 10, 2013**

**Angel Alieea** St. Mary's Park Houses, 550 Cauldwell Avenue, Apt. 6G, Bronx  
**Randa Atallah** Pomonok Houses, 65-28 Parsons Boulevard, Apt. 1D, Queens  
**Eric Aviles** Lower East Side III Houses, 722 East 9th Street, Apt. 1G, Manhattan  
**Julio Aviles** Lower East Side III Houses, 722 East 9th Street, Apt. 1G, Manhattan  
**Yemalla Ayala** St. Mary's Park Houses, 550 Cauldwell Avenue, Apt. 6G, Bronx  
**Tyquan Bracey aka Tiquali Bracey** Morris I Houses, 1451 Washington Avenue, Apt. 15F, Bronx  
**Raushawn Docter** Brevoort Houses, 292 Ralph Avenue, Apt. 7D, Brooklyn  
**Esteban Gonzalez** St. Mary's Park Houses, 550 Cauldwell Avenue, Apt. 6G, Bronx  
**Michael Hixon** Pomonok Houses, 65-28 Parsons Boulevard, Apt. 1D, Queens  
**Robert Mays** Throggs Neck Houses, 2786 Dewey Avenue, Apt. 7C, Bronx  
**Estevan Medina** Castle Hill Houses, 535 Havemeyer Avenue, Apt. 3F, Bronx  
**Tayquan Peterson aka Tayquan Peterson** Farragut Houses, 202 York Street, Apt. 4E, Brooklyn  
**Paul Sanders** West Brighton Houses, 240 Broadway, Apt. 7H, Staten Island  
**Vernon Townsend** Sheepshead Bay Houses, 2953 Avenue W, Apt. 1C, Brooklyn  
**Brandin Trezevant** Surfside Gardens Houses, 2926 West 25th Street, Apt. 701E, Brooklyn  
**Robert Wise** South Beach Houses, 132 Kramer Street, Apt. 4B, Staten Island

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JAN 22<sup>nd</sup> 2013

Dear Sir/Madam

my name is  
 Bonita L. Maynard I Reside At  
 1829 Lexington Avenue #11C  
 N.Y. N.Y. 10019

my nephew NAME is Clifton Brown.  
 I am 85 year old Stroke Victim.  
 my nephew Runs Errands for me, Gets  
 my meals twice a day I Really  
 depend on him, Especially now the  
 weather is very cold. I have a son  
 who works and is not able to be  
 here all the time, and he lives in  
 the BRONX. IF you need any kind  
 of INFORMATION From me, Please feel  
 free to CALL me.

Thank you Kindly

Bonita L. Maynard.

212-876-1543

State of New York, County of: New York

Sworn (or Affirmed) to before me

this 24<sup>th</sup> day of JAN, 2013Notary Signature: 

Elizabeth Johnson

Notary Public, State of New York

No-01J06172998

Qualified in New York County

Certificate Filed in New York County

Commission Expires August 20, 2015



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10/27/2012 2:40:04 PM PAGE 2/003 Fax Server

Page 1 of 2.

CRIMINAL COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

MISDEMEANOR

Clifton Brown (M 45),

Defendant.

Police Officer Keith Roman, Shield 738 of the Housing Bureau PSA 5, states as follows:

*The defendant is charged with:*

- 1 PL 140.15(1) Criminal Trespass in the Second Degree  
(1 count)
- 2 PL 140.10(e) Criminal Trespass in the Third Degree  
(1 count)
- 3 PL 140.05 Trespass  
(1 count)

On or about October 26, 2012 at about 4:40 PM, at 123 East 112th Street in the County and State of New York, the defendant entered and remained unlawfully in a dwelling; the defendant knowingly entered and remained unlawfully in a public housing project in violation of conspicuously posted rules and regulations governing entry and use thereof; the defendant knowingly entered and remained unlawfully in and upon premises.

*The factual basis for these charges are as follows:*

I observed the defendant exit a New York City Housing Authority building, an apartment building where people reside. I then observed the defendant remain on the grounds of the New York City Housing Authority building. I observed that the New York City Housing Authority building had signs posted that read, in substance, "No Trespassing", "Tenants and their Guests Only" and "in part: Anyone who remains unlawfully upon these premises will be prosecuted".

I further observed that the defendant is not a tenant in that he provided an address different from the address that I observed him exiting and that the defendant is not an invited guest in that the defendant was unable to provide the identity of a resident of whom the defendant was an invited guest.

I determined that the defendant did not have permission or authority to be on the grounds because the defendant was issued a Trespass Notice as a result of being arrested for felony sale of a controlled substance or marijuana on New York Housing Authority grounds. I observed that the Trespass Notice states, in substance, "YOU ARE HEREBY NOTIFIED THAT YOU DO NOT HAVE PERMISSION OR AUTHORITY TO ENTER, OCCUPY, VISIT UPON, OR USE IN ANY MANNER THE GROUNDS OR BUILDINGS OF ANY NYCHA HOUSING PROPERTY IN THE CITY OF NEW YORK, EVEN IF YOU ARE INVITED TO DO SO."

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Page 2 of 2

CRIMINAL COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

MISDEMEANOR

Clifton Brown (M 45),

Defendant.

I am a member of the New York Police Department. As such, I am an agent of this dwelling, and the defendant did not have permission or authority to enter or remain in the area in which he was found.

False statements made in this written instrument are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law, and as other crimes.

PO Keith Roman  
Police Officer Keith Roman

10/27/12  
Date

1440  
Time

2425404



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6/23/2013 6:20:19 PM PAGE 2/003 Fax Server

Page 1 of 2

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

MISDEMEANOR

Clifton Brown (M 45),

Defendant.

Police Officer Robert Dinuzzo, Shield 13012 of the Housing Bureau PSA 5, states as follows:

*The defendant is charged with:*

- |                |  |
|----------------|--|
| 1 PL 140.10(a) | Criminal Trespass in the Third Degree<br>(defendant #1: 1 count) |
| 2 PL 140.10(f) | Criminal Trespass in the Third Degree<br>(defendant #1: 1 count) |
| 3 PL 140.05    | Trespass<br>(defendant #1: 1 count)                              |

On or about June 23, 2013, at about 1:15 P.M., inside 130 East 115 Street in the County and State of New York, the defendant knowingly entered and remained unlawfully in a building and upon real property which was fenced and otherwise enclosed in a manner designed to exclude intruders; the defendant knowingly entered and remained unlawfully in a public housing project in violation of a personally communicated request to leave the premises from a housing police officer or other person in charge; the defendant knowingly entered and remained unlawfully in and upon premises.

*The factual basis for these charges are as follows:*

I observed the defendant inside a parking lot that is enclosed by a fence in a manner designed to exclude intruders and is only accessible from the street by walking through a gate on which there is a conspicuously posted sign that states in substance "NYCHA housing property."

The defendant stated to me, in substance: "I know I'm not supposed to be here."

I am informed by Patrick Jo Kennedy, Shield 7381 of PSA 5, that he served the defendant with a Trespass Notice on March 20, 2008, that states, in substance: "You may be arrested and prosecuted for trespass if you are found on NYCHA property in violation of this notice."

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6/23/2013 6:20:19 PM PAGE 07000 12X 001Y01

Page 2 of 2

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

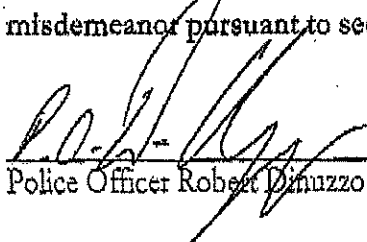
MISDEMEANOR

Clifton Brown (M 45),

Defendant.

I am a member of the New York Police Department and, as such, a custodian of New York City Housing Authority Apartment premises, and I know the defendant did not have permission or authority to be in the abovementioned parking lot.

False statements made in this written instrument are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law, and as other crimes.

  
Police Officer Robert Dinuzzo

06/23/13  
Date

18:25 HZ  
Time

2498892